THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.20938 of 2005

Date:05.10.2005

M.S.Sandeep Sai.

--------PETITIONER

The Osmania University and others.

---------RESPONDENTS

ORDER:

The petitioner is a student of Engineering in the 3rd respondent College. He completed three years of instructions and he is due to be promoted to IV-Year. He failed in some of the examinations in II-Semester of III-Year. On account of the same, he was not entitled to be promoted to IV-Year. However, the college authorities promoted him to IV-Year, subject to the approval of the University. He has also applied for revaluation of the answer scripts, in which he is declared to have been failed. The college, in turn, forwarded the application of the petitioner for according approval, for the promotion given to the petitioner. The grievance of the petitioner is that even after promoting him to IV-Year, the 3rd respondent is not permitting him to attend the classes.

The writ petition came up 'for admission' on 26.09.2005. It was adjourned to enable the learned Standing Counsel to obtain instructions, as to whether the University has accorded approval for the conditional promotion extended by the 3rd respondent to the petitioner. On instructions, the learned Standing Counsel submits that no such approval was accorded, particularly having regard to the fact that even after revaluation, the result of the subjects, in which the petitioner failed earlier, did not change.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the University.

The Rules framed by the University mandate that for being promoted to IV-Year of B.Tech. Course, a candidate must not have more than eight backlogs in III-Year. Admittedly, the petitioner had more backlogs than eight. As regards some subjects, he applied for revaluation. The college, in turn, promoted him to IV-Year conditionally, in anticipation of the results in the subjects, for which the petitioner applied for revaluation, and the approval of the University.

Even before there was an occasion for the University to examine the matter, it so happened that the revaluation applied for by the petitioner did not yield any positive result. With that, the number of backlogs of the petitioner exceeded eight. Therefore, no exception can be taken to the action taken by the respondents in not permitting the petitioner to pursue I-Semester of IV-Year of B.Tech Course.

Accordingly, the writ petition is dismissed. There shall be no order as to costs.

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05.10.2005

Jsu